

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2133

**RESOLUTION ELECTING TO BE SUBJECT TO
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
ONLY WITH RESPECT TO MEMBERS OF A SPECIFIC EMPLOYEE ORGANIZATION
AND
FIXING THE EMPLOYER'S CONTRIBUTION FOR EMPLOYEES AND THE
EMPLOYER'S CONTRIBUTION FOR RETIREES AT DIFFERENT AMOUNTS**

WHEREAS, Government Code Section 22922(b) provides that a contracting agency may elect upon proper application to participate under the Public Employees' Medical and Hospital Care Act with respect to a recognized employee organization only; and

WHEREAS, Government Code Section 22892(c) provides that a contracting agency may fix the amount of the employer's contribution for employees and the employer's contribution for retired employees and survivors at different amounts provided that the monthly contribution for retired employees and survivors shall be annually increased by an amount not less than 5 percent of the monthly contribution for employees, until such time as the amounts are equal; and

WHEREAS, Government Code Section 22920(b) defines any Special District as a contracting agency, and

WHEREAS, a Special District is hereby defined as a non-profit, self-governed public agency within the State of California, and comprised solely of public employees performing a governmental rather than proprietary function, and

WHEREAS, the Olivehurst Public Utility District, hereinafter referred to as Special District is an entity meeting the above definition; and

WHEREAS, the Special District desires to obtain for the members of the **OPUD Business Office Association**, who are active and retired employees and survivors of the agency, the benefit of the Act and to accept the liabilities and obligations of an employer under the Act and Regulations; now, therefore, be it

RESOLVED, that the Special District elect, and it does hereby elect, to be subject to the provisions of the Act; and be it further

RESOLVED, that the employer's contribution for each employee shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan or plans up to a maximum of **\$681.00** with respect to employees enrolled for self alone, **\$1,000.00** for an employee enrolled for self and one family member, and **\$1,000.00** for an employee enrolled for self and two or more family members plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, that the employer's contribution for each retired employee or survivor shall be the amount necessary to pay the cost of his enrollment, including the enrollment of his family members, in a health benefits plan up to a maximum of **\$1.00** per month; and be it further

RESOLVED, that the employer's contribution for each retired employee or survivor shall be increased annually by **5 percent** of the monthly contribution for employees, until such time as the contributions are equal; and that the contributions for employees, retired employees and survivors shall be in addition to those amounts contributed by the Special District for administrative fees and to the Contingency Reserve Fund; and be it further

RESOLVED, that the executive body appoint and direct, and it does hereby appoint and direct, Cindy Van Meter, District Clerk, to file with the Board of Administration of the Public Employees' Retirement System a verified copy of this Resolution, and to perform on behalf of said Special District all functions required of it under the Act and Regulations of the Board of Administration; and be it further

RESOLVED, that coverage under the Act be effective on October 1, 2006.

PASSED AND ADOPTED THIS 21st DAY OF SEPTEMBER 2006.

OLIVEHURST PUBLIC UTILITY DISTRICT



President, Board of Directors
Olivehurst Public Utility District

ATTEST:



District Clerk & ex-officio Secretary

APPROVE AS TO FORM AND LEGAL
SUFFICIENCY

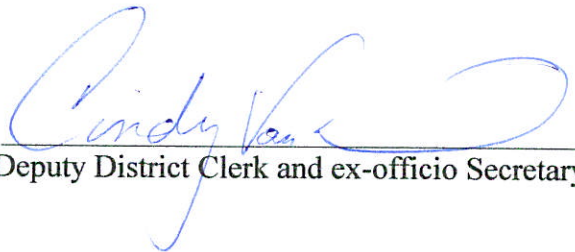


Legal Counsel

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 21st day of September 2006, by the following vote:

AYES, AND IN FAVOR THEREOF:	:	Director Carpenter, Hollis, Miller, and Patty.
NOES	:	None.
ABSTAIN	:	None.
ABSENT	:	Director Morrison.


Deputy District Clerk and ex-officio Secretary

INSTRUCTIONS -- RESOLUTION FOR MEMBERS OF A SPECIFIC EMPLOYEE ORGANIZATION ELECTING UNEQUAL CONTRIBUTIONS

This resolution form is the approved form designated by the Public Employees' Retirement System. It should be used by a Special District to assure proper filing with the Public Employees' Retirement System for the combined purpose of:

1. Contracting for coverage under the Public Employees' Medical and Hospital Care Act, and
2. Fixing the employer's contribution toward employees' health insurance at one amount and the contribution for the retired employees and survivors at another amount with annual increases of at least 5% until the amounts are equal.

WHEREAS (5) should be completed with the Special District name.

WHEREAS (6) should be completed with the group name.

RESOLVED (b) should be completed to specify the amount of the employer's (district's) contribution toward the cost of its active employees' enrollments. The amount specified by this resolution would be at an amount equal to or greater than that specified in Section 22892(b) as authorized by Section 22892(a) of the Government Code. Minimum employer contributions as prescribed in Section 22892(b) are as follows:

2003	\$16.00
2004	\$32.20
2005	\$48.40
2006	\$64.60
2007	\$80.80
2008	\$97.00

Section 22892(a) of PEMHCA provides that a contracting agency may fix the amount of the employer's contribution from time to time by resolution. The amount shall not be less than the amount required under Section 22892(b). The resolution will be effective on the first day of the second month following the month in which the resolution is received.

RESOLVED (c) should be completed to specify the amount of the employer's contribution, a minimum of \$1.00, toward the cost of its retired employees and survivors' enrollment.

RESOLVED (d) should be completed to specify the percentage factor of the annual increase to the contribution for retired employees and survivors. The increased amount will be calculated by PERS staff based on the agency's contribution for its employees multiplied by this percentage factor to be effective with the January coverage each year.

RESOLVED (e) requests the position title of the individual who handles the Public Employees' Retirement System contract for the Special District.

RESOLVED (f) provides that if a Resolution is filed in the office of the Board **on or before the tenth day of any month**, the coverage is to become effective on the first of the following month.

Because resolutions serve as our legal contract we require either the original resolution, certified copy with original signatures or a copy of the resolution with the agency's raised seal.

The certification shown following the Resolution is to be completed by those individuals authorized to sign for the Special District in legal actions and is to include the name of the executive body; i.e., Board of Directors, Board of Trustees, etc., the location and date of signing.